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June 10, 2013

VIA FACSIMILE AND ECF

Hon. Roslynn R. Mauskopf
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: 7-Eleven, Inc. v. Lakeville Concepts, Inc., et al., No. 1:13-cv-01380-RRM-MDG

Dear Judge Mauskopf:

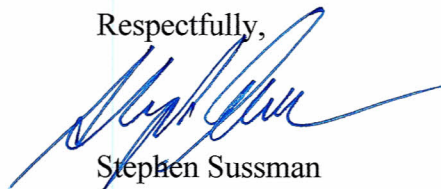
We represent 7-Eleven, Inc., plaintiff in the above-referenced action.

In accordance with Your Honor's Order filed May 22, 2013, this is to advise you that the parties have been unable to consummate a settlement of the case.

With regard to the hearing scheduled for Thursday, June 13, 2013, at 11:00 a.m., counsel for plaintiff and defendants are in communication in an effort to arrive at a mutually acceptable Consent Order. We expect to be in a position, by the end of the day tomorrow, to provide definitive advice in such respect. Unless successful in resolution of the pending Motions by consent order, we are cognizant that the hearing scheduled for June 13, 2013 will go forward.

The undersigned has consulted with counsel for the defendants, who has approved the form of this letter, which is submitted to Your Honor as a joint status report.

Respectfully,



Stephen Sussman

SS/ap

cc: Patrick J. Sullivan, Esq.

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